

Mr. Chairman, members of the Committee.

In 2003 I chaired an Accountability Review Board (ARB) to examine the circumstances of the October 2002 murder of Laurence Foley, the USAID executive officer at the American Embassy in Amman, Jordan. The Board was charged by Secretary of State Powell to determine whether sufficient security systems for the protection of embassy personnel were in place and properly implemented at the time of Mr. Foley's murder, whether his murder was security related, and whether any member of the embassy staff was culpable in his death.

We found:

That Mr. Foley's death was security related;

That the security procedures in place at the time of his death met the Department of State's standards for a high terrorist threat post;

That the growing threat to Americans in Jordan was regularly discussed with all agencies at post and was the basis for timely guidance to official personnel and the unofficial American community;

That many personnel, including Larry Foley, did not implement the security countermeasures recommended by post management; and

That no United States Government employee was culpable in Mr. Foley's death.

The ARB made two recommendations. The first was that the Secretary of State convene a special commission to make recommendations to improve the personal security of all US Government employees serving abroad, regardless of department or agency affiliation, under the authority of the chief of mission, especially when outside of hardened facilities.

The second recommendation was that the Embassy in Amman take several steps to improve personal security countermeasures, security briefings and guidance, and residential security.

I believe the Department and the Embassy accepted and have begun to implement most of those post-specific recommendations. I also understand that the Department has decided to implement some of those recommendations at other overseas posts.

With respect to the first recommendation, however, the Department of State informed the Congress in June 2003 that while it agreed with the spirit and intent of the recommendation, it did not agree that it was necessary to convene another special commission. Rather, the Department reported that the existing Overseas Policy Security Board and the Overseas Security Advisory Council would be asked to review the Department's actions to implement the ARB recommendations and to advise whether it would be worthwhile to convene such a special commission. I do not know what action those groups have taken or recommended.

The report's first recommendation reflected our concern that there were no agreed Government-wide standards for briefing, training, or selecting USG personnel and contract employees,

regardless of agency affiliation, for long-term or temporary assignment to posts with a high or critical threat rating for terrorism. This is especially troubling when you consider that there are over 50,000 people in 180 countries working at over 260 diplomatic, consular and other special purpose facilities, and that over 50% of those facilities are rated as subject to a high or critical threat of terrorism.

Amman was a good example of a busy, modern, high-threat, and growing multi-agency post. At the time of the Board's visit in February 2003, the Ambassador's staff included 140 direct hire American personnel representing ten federal agencies and departments, over 350 personnel on temporary duty, more than 70 contract employees, over 200 family members, and approximately 200 Jordanian staff. The Embassy compound was also one of the first constructed to "Inman" standards as recommended in the report of the Secretary of State's Advisory Panel on Overseas Security, the "Inman Commission," in 1985. It was a fortress.

But we found that personnel under the authority of the chief of mission, and for whose security and well being the Ambassador bears ultimate responsibility, did not receive the same or in many cases even similar security preparation for service in Amman.

Personnel who arrived at post from other overseas assignments often received no special security preparation at all.

Most contract employees received little or no security-related training or preparation unless required by their contracts, and there was no mechanism to ensure that different agency contracts included such a requirement.

For most of those who received security training, it was not specific to Jordan.

The Embassy post report made no mention of security considerations or the growing terrorist threat.

The Ambassador, his regional security officer, and the rest of his senior staff did not generally know what, if any, security preparation American staff and dependents received before arrival at post.

And yet all Americans at post, regardless of their employment status and regardless of their department or agency affiliation, were vulnerable to the same threat.

There had been a marked increase in threat reporting collected by or available to the embassy, beginning with the "Millennium Plot" in late 1999, which indicated a growing vulnerability of American targets outside the heavily protected Chancery compound. The increase was sufficiently striking that the Community Counterterrorism Board (CCB) called for a special "Intelligence Community Advisory" on Jordan in early 2002 which underscored that these threats deserved special attention. The frequency of guidance from post management to embassy personnel and the larger American community on how to respond to those threats also increased. There were approximately 25 such communications between February and December of 2002. The specificity, tone, and nature of the countermeasures recommended, however, did not change

noticeably.

We were troubled that many Washington and Embassy personnel, despite the increasing threat, considered personal security a matter of personal choice. The Embassy set the standards for residential security, but it was not unusual for personnel to not use alarm systems or to modify security patrol procedures to avoid inconvenience to the household. Post management repeatedly emphasized the need to take personnel security countermeasures and some personnel might therefore vary their timing and route to work and other regular destinations, but many did not. Supervisors exhorted their staff to implement good personal security countermeasures, but few of them took it upon themselves to monitor compliance.

In my view this is an attitude, probably one more common among civilian than military personnel, that we can not afford. The killing of an American representative overseas is not a personal or private matter. Personnel selected for assignment overseas, but especially at high and critical threat posts, must use every tool available to protect themselves and their ability to conduct the nation's business. They should be just as accountable for their conduct when it comes to security preparedness as they are for other aspects of personal and professional behavior.

Over the years we have made our facilities overseas harder to attack. So it is not surprising that the vast majority of attacks against US Government personnel have occurred outside our protected buildings and compounds. Meanwhile, the terrorist threat against American personnel has grown and the number of Americans representing the United States abroad has also grown. Tragically, when they are outside their hardened offices, where much of their most important work is done, they are "soft targets." And sadly, there have been several new ARBs convened since our work in 2003.

By temperament and training, some personnel deal effectively with threatening environments. Some do not. All the more reason, in our view, to recommend that the Department of State convene what in effect would be an Inman Commission for people. The 1985 Inman Commission concentrated on organizational issues, the standards for security professionals, counterterrorism efforts, intelligence and alert procedures, physical security standards, and buildings. We thought a similar initiative could do for personal security what Inman had done for organization and building security standards.

Inman hardened our facilities. We thought we needed something like Inman to harden our personnel.

Existing groups in the foreign affairs community had been unable or unmotivated to make sweeping changes such as those recommended by the Inman Commission. So too, we thought an Inman-like commission could challenge the foreign affairs community to look at recruitment, training and assignments, personal security countermeasures, and the accountability of personnel for the implementation of such measures in new ways to improve the ability of all of those at our embassies and consulates, military and civilian, to survive in an increasingly hostile environment.

No combination of security awareness, training, standards, preparedness or accountability can guarantee the protection of our people and our facilities. Human nature being what it is, security is inconvenient, especially for those unaccustomed to being targets. And there is no doubt that those who attack us will be quick to modify their tactics in response to our countermeasures.

My ARB colleagues and I thought, however, we had identified problems that were widespread and required a new approach. It may well be that 20 years after the work of Admiral Inman's commission, existing tools like the Overseas Policy Security Board and the Overseas Security Advisory Council can design an effective interagency approach for the protection of those who represent us abroad. I don't know.

But there is no doubt in my mind that we need to do better.

Thank you.